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AUG 16 2004

OFFICE OF PETITIONS

In re Application of :
Morse, Callas, Orth, Frazier, and :
Chin : DECISION NOTING JOINDER OF
Application No. 10/001,416 : INVENTOR AND PETITION UNDER
Filed: 15 November, 2001 : 37 CFR 1.47(a) MOOT
Attorney Docket No. 80121-06507 :

Papers filed on 5 August, 2004, in response to the decision refusing status under 37 CFR 1.47(a) mailed on 18 June, 2004, included a reissue Declaration signed by the previously non-signing inventors, Geoffrey A. Orth, as well as a corrected declaration for joint inventor Frazier, in compliance with 37 CFR 1.63 and 1.175.

In view of the joinder of the inventor, further consideration under 37 CFR 1.47(a) is moot; this application does not have any rule 1.47(a) status and no such status should appear on the file wrapper. This application need not be returned to this office for any further consideration under 37 CFR 1.47(a).

It is noted that a duplicate submission of the petition fee and late-filing surcharge was filed with the present request for reconsideration. These fees are unnecessary and will be credited to counsel's deposit account, No. 19-2555, as authorized in the present petition.

This application will be forwarded to Technology Center 3700 for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at (703)308-6918.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions